

**RICHARD P. POINTER, ESQ., SBN: 86630**  
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Attorneys for Defendant  
**MARK A. FIRST**

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

UNITED STATES OF AMERICA,	)	NO: CR-07-00622 (JF)
	)	
Plaintiff,	)	<b>STIPULATION AND</b>
	)	<b>[PROPOSED] ORDERED TO</b>
vs.	)	<b>CONTINUE THE JUNE 4,</b>
	)	<b>2008 SENTENCING DATE</b>
MARK A. FIRST,	)	
	)	
Defendant.	)	
_____	)	

IT IS HEREBY STIPULATED by and between Assistant United States Attorney, Joseph Fazioli, counsel for plaintiff, and Richard P. Pointer, counsel for the defendant in the above mentioned case, that the sentencing hearing now scheduled for June 4, 2008, at 9:00 a.m., is continued to July 11, 2008, at 9:00 a.m., or as soon thereafter as is convenient to the Court. This continuance is sought by the defense because due to my commitment to a state trial for the past two weeks I have been unable to meet the deadlines set forth by the Federal Probation Department to complete the Presentence Report.

IT IS SO STIPULATED.

Dated: May 12, 2008

\_\_\_\_\_  
/s/  
JOSEPH FAZIOLI  
Counsel for Plaintiff

Dated: May 12, 2008

\_\_\_\_\_  
/s/  
RICHARD P. POINTER  
Counsel for MARK A. FIRST

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**MARK A. FIRST**

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

UNITED STATES OF AMERICA,	)	NO: CR-05-00622 (JF)
	)	
Plaintiff,	)	ORDER FOR CONTINUANCE
	)	
vs.	)	
	)	
MARK A. FIRST,	)	
	)	
Defendant.	)	

Accordingly, for good cause shown,

The Court Hereby Orders that the sentencing hearing scheduled for June 4, 2008, is continued to July 11, 2008, at 9:00 a.m.

SO ORDERED.

Dated: May \_\_\_\_\_, 2008

\_\_\_\_\_  
JEREMY FOGEL  
United States Judge